

OCT 27 2004

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

DALE ROBERT SALYERS,

Defendant.

Criminal No. 04-201-S-EJL

MOTION FOR
DETENTION

The United States of America by and through James Peters, Assistant United States Attorney for the District of Idaho, moves the Court, pursuant to 18 U.S.C. §§3142(a)(4) and 3142(c), for an order directing that a hearing be held for the purpose of holding the defendant without bail prior to trial.

() Pursuant to Title 18 U.S.C. § 3142(f), the United States asks for a continuance of _____ days from the date of the defendant's first appearance before a judicial officer. The continuance is requested in order for investigators to travel to Boise for the hearing.

The prosecution will introduce evidence as follows pursuant to the specific sections of Title 18, United States Code as indicated:

() §3142(f)(1)(A) - a crime of violence;

() §3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment or death;

() §3142(f)(1)(C) - an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. § 801, et seq.), the Controlled Substances Import and Export Act (21 U.S.C. § 951, et seq.), or Section 1 of the Act

1 of September 15, 1980 (21 U.S.C. § 955a);

2 () §3142(f)(1)(D) - any felony committed after the person had been convicted of two
3 or more prior offenses described in §3142(f)(1)(A) through (C), or two or more State or local
4 offenses that would have been offenses described in §3142(f)(1)(A) through (C) if a
5 circumstance giving rise to Federal jurisdiction had existed;

6 () §3142(f)(2)(A) - a serious risk that the person will flee;

7 (X) §3142(f)(2)(B) - a serious risk that the person will:


8 () obstruct or attempt to obstruct justice, or

9 () threaten, injure, or intimidate, or attempt to threaten, injure, or
10 intimidate, a prospective witness or juror; or

11 (X) otherwise pose a danger to any other person or the community.

12 Dated this 27th day of October, 2004.

13 THOMAS E. MOSS
14 United States Attorney

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16 JAMES M. PETERS
17 Assistant United States Attorney
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